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cc PS/Mr Scott (B&L) M
 PS/PUS (B&L)
 ✓ PS/Mr Bloomfield M
 Mr Brennan (L) M
 Mr Stephens
 Mr Merifield
 Mr Gilliland
 Mr Coulson
 Mr Radcliffe
 Mr Reeve
 Mr Lyon (L) M
 Mr Bickham (L) M
 Mr Carlisle (L) M

PS/SECRETARY OF STATE (B&L) M

2. SEC/8

INVOLVING THE MINORITY IN POLICE AFFAIRS

The Secretary of State has asked us to consider what further measures could be taken to get representatives of the Catholic community more effectively involved in the affairs of the RUC; in particular he has suggested that there might be merit in the establishment of a new consultative body, to which influential members of the minority (as, no less, of the Unionist majority) would be recruited.

2. I shall set out first our current provisions and plans, with their limitations; and then consider the advantages and otherwise of establishing a new body.

Police Authority for Northern Ireland

3. The Police Authority has the statutory duty to secure the maintenance of an adequate and efficient police force. In an ideal world it would be the self-evident forum for consultation amongst representatives from all communities and walks of life as to whether the police were operating adequately and efficiently; such consultation, if it was working, could simply be extended to the Government (ie the Secretary of State could consult with the Authority about these matters, for the greater reassurance of the public). That such a system is largely absent is a function of the political/security scene, rather than of inadequacies in the composition or powers of the Authority. Representatives of the two communities are able to discuss their (somewhat mundane) statutory duties constructively together, but would be less happy about taking a prominent public stance over matters relating to the police; it is not just that it would put their personal security at risk, but that cross-community public support for the police is itself highly controversial politically. In theory, their dilemma might be eased if they were

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relieved of their mundane responsibilities, since they would not then fear that those duties might be compromised by the controversy. But in practice they would be less inhibited.

4. A likelier means of improvement would be the appointment of higher calibre members to the Authority, especially from the minority. This is our objective in recomposing the Authority this summer. A first-class chairman, prepared to cut a reasonably public figure, is a prerequisite, from whichever community. But we shall be constrained by the paucity of candidates - and especially (if the past is any guide) of those prepared to serve from the minority. Mr Hume's most recent attitude does not suggest that the ranks of the SDLP are going to be opened up to us.

Police Complaints

5. The new Police Complaints Commission that we are proposing (see Mr Radcliffe's recent submission) would possess teeth of a kind not available to the present Police Complaints Board, nor in a different way to the Police Authority. If the minority wished, and could be brought to put confidence in the system, they could make effective use of this. While the membership of the present Board is perfectly adequate for its responsibilities, we shall need to look for stronger representation on the new Commission, at least a more prominent chairman. The Commission's duties will be quasi-judicial, and it ought therefore to be kept distinct from any body with a political complexion or intent. Its mode of reassurance to the minority must needs be indirect.

Local Consultative Committees

6. The Police Authority and Chief Constable are pressing on with the formation of new Police Liaison Committees, based mainly on police sub-divisions. Membership will embrace non-elected people, representative of local interests, as well as elected representatives. The constraints on constructive minority participation will be the same as have dogged previous Police Liaison and Security Committees; they are similar at local level to the problems described in relation to the Police Authority. But it is essential to plug away at this; it is on the ground that tensions between the minority and the security forces are most keenly felt, and where there is a better chance of mutual accommodation and confidence building,

because the issues are concrete, distinct and intrinsically more soluble, and the atmosphere is less clouded by the political rhetoric of the professionals. Nevertheless, the SDLP's negative approach will continue to be an obstacle.

A new Consultative Body

7. One can conceive of a body, on the lines of an economic council, having the function of periodically consulting with the Secretary of State about police affairs, and acting as a sounding board for generalised complaints about the performance and direction of the RUC. Axiomatically, such a body would have first call on the best candidates from all sections of the community.

8. The advantages of setting up such a body might be:

- (a) being new, it might attract new blood;
- (b) for the same reason, and also from being free of executive responsibility, it might instil some confidence where it is absent today;
- (c) it would give the Secretary of State greater freedom for wide ranging consultation than he has with existing bodies.

9. Probable disadvantages would be:

- (a) it would prove difficult to achieve a significantly higher calibre membership than we can find for the existing bodies today. Members of the minority are particularly chary of accepting; their qualms would be increased to the extent that it was plain that the new body was intended to take a high public profile. To the extent that we were successful, we should be likely to degrade the quality of membership of the other bodies, who would of course still have their jobs to do.
- (b) to the extent that the new body engaged in controversial criticism of police activity, it would be in danger of

cutting across the responsibilities of the new Police Complaint Commission.

- (c) the Security and Home Affairs Committee of the Assembly (assuming continuance) would resent the new body's usurping its position, as it would seem to them. Tensions would be sharpened further if the two organs took acutely different positions on the same issue - the Security Committee presumably remaining staunchly Unionist, and the new body being at least tinged with nationalism.
- (d) if in the event it achieved relatively little, it would merely stand comparison with the Standing Advisory Commission on Human Rights, which of its own initiative has in fact made quite a fist of very similar objectives.

Conclusion

10. The advantages are speculative, the disadvantages in some degree at least more likely. We must at any rate pursue our present aims with regard to police complaints and the reformation of the Police Authority and Local Committees. I suggest that the specific minority interest which the Secretary of State has identified might be better served - though only indirectly - through the agency of the joint Anglo-Irish body, whether security commission or something else, which is at present being considered. We should thus avoid the problem of adequate minority participation, while giving the minority an opportunity to air their concerns in a forum in which they could be expected to have some confidence. We should also avoid the stultifying influence of Unionist/Nationalist animosity in any body representative of the whole Northern Ireland community; and while we could expect strong Unionist objections, it would be something which they could not thwart (as they largely could a new consultative body, if it showed signs of bringing undue satisfaction to the minority).

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